

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SIEMENS MOBILITY, INC.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. _____
)	
WESTINGHOUSE AIR BRAKE)	JURY TRIAL DEMANDED
TECHNOLOGIES CORPORATION)	
(d/b/a WABTEC CORPORATION),)	
)	
Defendant.)	

MOTION FOR LEAVE TO FILE COMPLAINT UNDER SEAL

Plaintiff Siemens Mobility, Inc. (“Siemens”) hereby moves, pursuant to D. Del. LR 26.2, for an order permitting the filing of its Complaint under seal. The reason for Siemens’ motion is that the Complaint contains commercially sensitive and confidential business information. Specifically, the Complaint refers to documents and information that Defendant has designated confidential pursuant to protective orders entered in previous cases between the parties, including two cases in this District (C.A. No. 16-284, C.A. No. 17-1687). For example, the Complaint:

- Quotes internal Wabtec emails discussing Wabtec’s pricing (Complaint at ¶ 74);
- Refers to specific terms of Wabtec’s agreements with its customers (*id.* at ¶ 75);
- Quotes internal Wabtec documents detailing customer complaints (*id.* at ¶ 77-78); and,
- Quotes from depositions of Wabtec executives that have been designated confidential (*id.* at ¶¶ 87, 89).

Siemens, therefore, respectfully requests entry of the attached order permitting the filing of its Complaint under seal.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Karen Jacobs

OF COUNSEL:

Kent A. Gardiner
Mark Supko
Josh Rychlinski
CROWELL & MORING LLP
1001 Pennsylvania Avenue NW
Washington, DC 20004
(202) 624-2500

Chahira Solh
John S. Gibson
CROWELL & MORING LLP
3 Park Plaza, 20th Floor
Irvine, CA 92614
(949) 263-8400

Sima Namiri-Kalantari
CROWELL & MORING LLP
515 S. Flower Street, 41st Floor
Los Angeles, CA 90071
(213) 622-4750

March 20, 2019

Jack B. Blumenfeld (#1014)
Karen Jacobs (#2881)
Stephen J. Kraftschik (#5623)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899-1347
(302) 658-9200
jblumenfeld@mnat.com
kjacobs@mnat.com
skraftschik@mnat.com

Attorneys for Siemens Mobility, Inc.